



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Department Of Agriculture

Subject of possible rule making:

The department is proposing to amend chapter 16-230 WAC to exempt liquid formulations of ready-to-use phenoxy hormone-type herbicides from being declared Use Restricted Pesticides in Eastern Washington.

Statutes authorizing the agency to adopt rules on this subject:

RCW 15.58.040 and 17.21.030, and chapter 34.05 RCW.

Reasons why rules on this subject may be needed and what they might accomplish:

Adopting rules exempting ready-to-use liquid formulations in quantities greater than one gallon would benefit human and environmental health. Ready-to-use formulations are generally safer for the applicator since there is no mixing or loading involved and the percentage of active ingredient is generally much less than that found in a concentrate material. The potential for human exposure, and negative impacts from exposure if it should occur, are significantly reduced. It is also safer for the environment since it is less likely that product will be over-applied and less likely that there will be a need for disposal of unused product. Finally, it complies with the intent of the rule by significantly reducing the amount of active ingredient being purchased by an unlicensed person.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

None. No other state or federal agencies regulate this subject.

Process for developing new rule (check all that apply):

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Department staff will continue discussions affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period, and will be able to present oral testimony at the public hearing.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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DATE
12/9/2013

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